

CERTIFICATE OF TRANSMISSION UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office at 703-872-9306 on August 2, 2004.

By: 

Sarah M. Barnett

PATENT

Customer No. 22,852

Attorney Docket No. 09367.0020-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Corey E. NISLOW et al.

Application No.: 09/888,063

Filed: June 22, 2001

For: IMAGE ANALYSIS FOR
PHENOTYPING SETS OF
MUTANT CELLSCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop AF

Sir:

Group Art Unit: 1631

Examiner: Ardin H. MARSCHEL

Confirmation No.: 6972

RECEIVED
CENTRAL FAX CENTER

AUG 02 2004

OFFICIAL

REPLY TO OFFICE ACTION

In reply to the Final Office Action mailed June 10, 2004, please amend the
above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims in this paper.

Remarks/Arguments follow the amendment section of this paper.

Application No.: 09/888,083
Attorney Docket No.: 09367.0020-00000

expressly stated so herein. Applicants reserve the right to prosecute the originally filed claims in the future.

Claims 1-5, 7, 10-12, 14-20, 22, 23, 25-27, 29-35, 37-46, and 49-55 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Giuliano in view of Winzeler et al. (1999) Science 285:901 ("Winzeler"). With the amendments to the claims, this rejection is moot. Applicants request that the rejection be withdrawn.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Date: August 2, 2004

By: Lauren L. Stevens
Lauren L. Stevens
Reg. No. 36,691